

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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JONATHAN HESS,

Plaintiff

Vs.

No, 09-cv-0954 ( GTS/DEP)

COHEN & SLAMOWITZ LLP ,

Defendant

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NOTICE OF APPEAL

Notice is hereby given that the plaintiff, Jonathan Hess appeals to the United States Court of Appeals for the Second Circuit from the following:

1. the Decision and Order of the Honorable Glenn T Suddaby, United States District Judge, filed on January 7, 2010, granting the defendant's motion to dismiss for failure to state a claim under Fed. R. Civ. P. 12(b)(6), for the reasons given in the Decision and Order, and
2. from the resulting judgment entered in this action on January 7, 2010.

Copies of the Decision and Order and the Judgment are attached as Exhibits A and B, respectively.

DATED: February 4, 2010

Albany, New York

Respectfully submitted,



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